

BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW
36 EAST SEVENTH STREET
SUITE 1510
CINCINNATI, OHIO 45202
TELEPHONE (513) 421-2255
TELECOPIER (513) 421-2764

RECEIVED

MAY 13 2005

PUBLIC SERVICE
COMMISSION

VIA OVERNIGHT MAIL

May 17, 2005

Beth A. O'Donnell, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

Re: Administrative Case No. 2005-00090

Dear Ms. O'Donnell:

Please find enclosed the original and twelve copies of the Joint Motion of Alcan Primary Products Corporation and Century Aluminum Of Kentucky, LLC to Require Kenergy to Address Smelter Supply Needs filed in the above-referenced matter.

By copy of this letter, all parties listed on the attached Certificate of Service been served. Please place these documents of file.

Very Truly Yours,



Michael L. Kurtz, Esq.
BOEHM, KURTZ & LOWRY

MLKkew
Attachment
cc: Certificate of Service
A. W. Turner, Esq.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by regular U.S. mail (unless otherwise noted) to all parties on the day of March, 2005.

Allen Anderson
South Kentucky R.E.C.C.
P. O. Box 910
925-929 N. Main Street
Somerset, KY 42502-0910

Mark A. Bailey
Kenergy Corp.
3111 Fairview Drive
P. O. Box 1389
Owensboro, KY 42302
(Via Overnight Mail)

Michael S. Beer
VP - Rates & Regulatory
Kentucky Utilities Company
c/o Louisville Gas & Electric Co.
P. O. Box 32010
Louisville, KY 40232-2010

Kent Blake
Director- State Regulation and Rates
Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010

Sarah Botkin
Business Service Manager
Berea College
Electric Utility Department
CPO 2207
Berea, KY 40404

Dudley Bottom, Jr.
Shelby Energy Cooperative, Inc.
620 Old Finchville Road
Shelbyville, KY 40065

Daniel W. Brewer
Blue Grass Energy Cooperative Corp.
P. O. Box 990
1201 Lexington Road
Nicholasville, KY 40340-0990

Jackie B. Browning
Farmers R.E.C.C.
504 South Broadway
P. O. Box 1298
Glasgow, KY 42141-1298

Overt L. Carroll
Clark Energy Cooperative, Inc.
P. O. Box 748
2640 Ironworks Road
Winchester, KY 40392-0748

Sharon K. Carson
Finance & Accounting Manager
Jackson Energy Cooperative
P. O. Box 307
U. S. Highway 421S
McKee, KY 40447

Michael H. Core
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

Bill Duncan
Licking Valley R.E.C.C.
P. O. Box 605
271 Main Street
West Liberty, KY 41472

Carol H. Fraley
President and CEO
Grayson R.E.C.C.
109 Bagby Park
Grayson, KY 41143

James B. Gainer
Legal Division
The Union Light Heat & Power Co
139 E. Fourth Street
Cincinnati, OH 45202

Ted Hampton
Cumberland Valley Electric, Inc.
Highway 25E, P. O. Box 440

Gray, KY 40734
Larry Hicks
Salt River Electric Cooperative
Corp.
111 West Brashear Avenue
P. O. Box 609
Bardstown, KY 40004

James L. Jacobus
Inter-County Energy Cooperative
Corporation
1009 Hustonville Road
P. O. Box 87
Danville, KY 40423-0087

Robert M. Marshall
Owen Electric Cooperative, Inc.
8205 Highway 127 North
P. O. Box 400
Owenton, KY 40359

Burns E. Mercer
Meade County R.E.C.C.
P. O. Box 489
Brandenburg, KY 40108-0489

Michael L. Miller
President & CEO
Nolin R.E.C.C.
411 Ring Road
Elizabethtown, KY 42701-8701

Timothy C. Mosher
American Electric Power
101A Enterprise Drive
P. O. Box 5190
Frankfort, KY 40602

Barry L. Myers
Manager
Taylor County R.E.C.C.
100 West Main Street
P. O. Box 100
Campbellsville, KY 42719

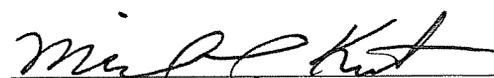
G. Kelly Nuckols
Jackson Purchase Energy Corporation
2900 Irvin Cobb Drive
P. O. Box 4030
Paducah, KY 42002-4030

Anthony P. Overbey
Fleming-Mason Energy Cooperative
P. O. Box 328
Flemingsburg, KY 41041

Roy M. Palk
East Kentucky Power Cooperative,
Inc.
4775 Lexington Road
P. O. Box 707
Winchester, KY 40392-0707

Bobby D. Sexton
President/General Manager
Big Sandy R.E.C.C.
504 11th Street
Paintsville, KY 41240-1422

Honorable David Edward Spenard
Assistant Attorney General
Office of the Attorney General
Utility & Rate Intervention Division
1024 Capital Center Drive
Suite 200
Frankfort, KY 40601-8204
david.spenard@ag.ky.gov


Michael L. Kurtz, Esq.

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

RECEIVED

MAY 18 2005

PUBLIC SERVICE
COMMISSION

In the Matter of:

AN ASSESSMENT OF)	
KENTUCKY'S ELECTRIC)	ADMINISTRATIVE
GENERATION, TRANSMISSION)	CASE NO. 2005-00090
AND DISTRIBUTION NEEDS)	

**JOINT MOTION OF ALCAN PRIMARY
PRODUCTS CORPORATION AND CENTURY
ALUMINUM OF KENTUCKY, LLC TO REQUIRE
KENERGY TO ADDRESS SMELTER SUPPLY NEEDS**

Alcan Primary Products Corporation ("Alcan") and Century Aluminum of Kentucky, LLC ("Century") (collectively, the "Smelters") submit this Joint Motion to require Kenergy Corp. ("Kenergy") to file responses to Items 7-9 and 11-14 of Appendix B to the Commission's Order of March 10, 2005. The Smelters are the two largest retail loads in Kentucky, and are among the largest retail loads in the United States, with a combined demand of approximately 850 MW. The two Smelters purchase more than 7 billion kWh annually.

On February 7, 2005 Kentucky Governor Ernie Fletcher issued an Executive Order mandating that the Commission issue a report concerning the Commonwealth's plan for ensuring that its electric generation, transmission and distribution infrastructure will be adequate to meet present and future demand. In response to this Executive Order, the Commission opened this docket and invited utilities and other interested parties to file testimony and comments.

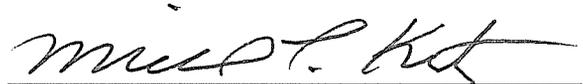
The Commission required all jurisdictional investor-owned electric utilities and electric generating, transmission and distribution cooperatives to file responses to the Commission's Initial Information Request of March 10, 2005. Items 7-9 and 11-14 concerned generation planning, generation resources and load requirements of the generation owning utilities, implicitly assuming that responses from the generation owning utilities would cover all Kentucky retail electric loads. This assumption is generally true, but there is one notable exception. As a Member of Big Rivers, Kenergy acquires its "full requirements" wholesale power from Big Rivers for all of its retail customers except the Smelters. The Smelters purchase their energy requirements from Kenergy through a complex contractual arrangement approved by the Commission as part of the 1998 bankruptcy workout plan of Big Rivers. Those contracts expire in 2010/2011. Therefore, absent a change in law in Kentucky or a redrawing of the service territory map, upon the expiration of the Smelter contracts, Kenergy will still be the certified retail electric supplier to the Smelters, the Smelters will continue to be required to purchase all of their electricity requirements from Kenergy, and Kenergy will continue to have a service obligation to provide the entire Smelter load at rates that are fair, just, reasonable and non-discriminatory. KRS 278.018, 278.030, and 278.170.

It is apparent from its response to the First Information Request that Big Rivers does not intend to use any of its available generating resources to provide energy to Kenergy for resale to the Smelters after their contracts expire in 2010/2011. Kenergy's response to the Initial Information Request does not supply any information regarding its plans to provide electric service to the Smelters following expiration of the Smelter contracts. Consequently, the Initial Information Request of March 10, 2005 has had the inadvertent effect of omitting the electric loads of the Smelters from the assessment of the future adequacy of electric service in Kentucky.

Neither Kenergy nor Big Rivers has addressed how the 850 MW Smelter load will be served at fair, just, reasonable, and non-discriminatory rates after 2010/2011. This has left an 850 MW hole in the Commission's record. Compliance with the Governor's Executive Order cannot be accomplished without addressing the Smelter supply issue. Since Kenergy faces this future service obligation, it is only logical that it be required to respond to those items of the Initial Information Request that are relevant to the issue.

WHEREFORE, the Smelters move the Commission to require Kenergy to file responses to Items 7-9 and 11-14 of the Commission's March 10, 2005 Order.

Respectively submitted,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

BOEHM, KURTZ & LOWRY

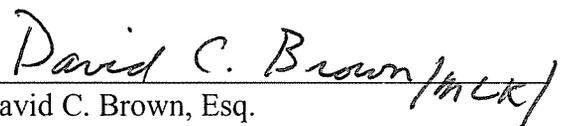
36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255

Fax: (513) 421-2764

E-Mail: mkurtz@bkllawfirm.com



David C. Brown, Esq.

STITES & HARBISON

400 West Market Street, Suite 1800

Louisville, Kentucky 40202

Ph: (502) 587-3400

Fax: (502) 587-6391

E-Mail: dbrown@stites.com

**COUNSEL FOR ALCAN PRIMARY
PRODUCTS COMPANY AND
CENTURY ALUMINUM OF
KENTUCKY, LLC**

May 17, 2005